

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

UNITED STATES OF AMERICA

VS.

CRAIG NEELY

§  
§  
§  
§  
§

CRIMINAL NO.  
1:21-CR-00048-LY-4

**MOTION TO WITHDRAW AS COUNSEL**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Charles Popper, the attorney of record for the defendant set forth in the style above who would file this Motion to Withdraw as Counsel in the present cause, and show unto the Court as follows:

I.

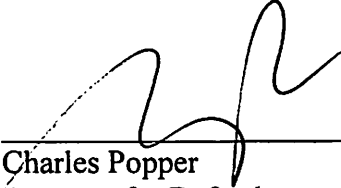
We found a conflict with two co-defendants in this case that we did not initially notice. Due to these reasons, the cumulative situation has reduced the ability of present counsel to provide adequate representation to the Defendant, and renders an ongoing attorney/client relationship difficult if not impossible, in derogation of Defendant's rights under the Sixth and Fourteenth Amendments to the United States Constitution, Article I, Section 10 of the Texas Constitution, and Articles 10.5 and 1.051 of the Texas Code of Criminal Procedure.

II.

The granting of the Motion to Withdraw will not jeopardize the rights of the Defendant, and will not work a delay or other injustice.

WHEREFORE, PREMISES CONSIDERED, Movant prays that this Honorable Court allow the withdrawal of counsel, and that present counsel be released from further obligation or duty to the Defendant as Attorney of Record.

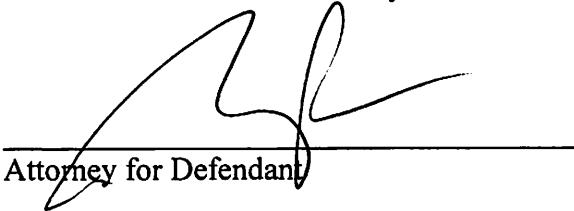
Respectfully submitted,



Charles Popper  
Attorney for Defendant  
1205 San Antonio Street  
Austin, TX 78701  
Telephone: 512-477-7111  
Telecopy: 512-477-6889  
State Bar No. 00795856

**CERTIFICATE OF SERVICE**

As Attorney of Record for Defendant, I do hereby certify that a true and correct copy of the above and foregoing document was forwarded to the Attorney for the State on the 17 day of May, 2021.

  
Attorney for Defendant

Accepted by:

---

Daniel D. Guess  
Assistant United States Attorney  
dan.guess@usdoj.gov

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

UNITED STATES OF AMERICA

VS.

CRAIG NEELY

§  
§  
§  
§  
§

CRIMINAL NO.  
1:21-CR-00048-LY-4

**ORDER PERMITTING WITHDRAWAL AS ATTORNEY OF RECORD**

On this the \_\_\_\_\_ day of May, 2021, came on to be heard the Motion of CHARLES POPPER as Attorney of Record in the above and foregoing cause, that said Attorney be allowed to withdraw.

After consideration of the same, and being satisfied that no harm will be done to the rights of the Defendant, the same is GRANTED, and it is therefore;

ORDERED, ADJUDGED AND DECREED, that the said Attorney CHARLES POPPER, shall be allowed to withdraw as counsel, and is hereby relieved of any further duty, obligation, or responsibility to Defendant herein:

SIGNED and ENTERED this \_\_\_\_\_ day of May, 2021.

\_\_\_\_\_  
JUDGE PRESIDING